

PATENT
Docket No.: LMPY-4910

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 2828

Examiner: Delma R. Florez Ruiz

Serial No.: 09/512,417

Filed: February 24, 2000

In re Application of: Klaus Vogler

Title: ENERGY MONITOR FOR F2 MOLECULAR FLUORINE LASER AND
METHOD OF ENERGY STABILIZATION#101 Response
Amended
1/14/03Certificate of Facsimile

I hereby certify that this correspondence is being faxed to Technology Center 2800 of the United States Patent and Trademark Office, facsimile no. 1 703 308-7722 and addressed to Director of Patents, Washington, D C 20231 on 11-26-02, Signed Gerry Ubau

Gerry Ubau

REPLY TO OFFICE ACTIONTotal Number of Pages: 3Director of Patents
Box Amendment
Washington, D.C. 20231

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Dear Sir,

NOV 26 2002

TECHNOLOGY CENTER 2800

In reply to the Office Action mailed October 4, 2002, Applicant respectfully submits the following remarks:

Claim Rejections Under 35 U.S.C. 103

Claims 1-6 and 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent no. 6,381,256 to Stamm et al. It is respectfully submitted that the subject matter of Stamm et al. and the invention of Claims 1-6 and 10-14 were commonly owned at the time of the invention. It is therefore respectfully further submitted that Claims 1-6 and 10-14 are allowable because Stamm et al. is not prior art. The prohibition set forth at 35 U.S.C. 103(c) against citing a commonly-owned patent as prior art under section 102(e)/103(a) to reject claims in a patent application applies to patent applications filed on or after **November 29, 1999.** See MPEP 706.02(1)(1). The present application was filed on February 24, 2000. The rejection is therefore overcome.

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The assignment for the present patent application, serial no.: 09/512,417, was recorded on June 19, 2000, Reel 010914, Frame 0522.

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The assignment for the patent no. 6,381,256 to Stamm et al. was recorded on September 6, 2000, Reel 011087, Frame 0062.

In the event any fee is required for filing the above-noted document, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing attached document timely, the Assistant Commissioner is hereby authorized to charge the fee to our Deposit Account No. 50-0612. A duplicate of this page is enclosed.

Respectfully submitted,
SIERRA PATENT GROUP, LTD.

Dated: 11-26-02



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